

Customer No. 22,852
Attorney Docket No. 01197.0247

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Fumitaka GOTO et al.)	
)	Group Art Unit:
Application No.: Not Yet Assigned)	
)	Examiner:
Filed: February 1, 2005)	
)	
For: 1-SUBSTITUTED-4-)	
NITROIMIDAZOLE)	
COMPOUND AND METHOD)	
FOR PREPARING THE SAME)	

U.S. National Phase of International Application No. PCT/JP2003/013134

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the enclosed international search report. A Copy of the non patent literature document is attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 1, 2005

By: 

Ernest F. Chapman
Reg. No. 25,961

Enclosures
EFC/FPD/gah

10/523008

12 Rec'd PCT/PTO 01 FEB 2005
Complete if Known

IDS Form PTO/SB/08: Substitute for form PTO/A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	1	Application Number	
				Filing Date	February 1, 2005
				First Named Inventor	Fumitaka GOTO
				Art Unit	
				Examiner Name	
				Attorney Docket Number	01197.0247

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,925,949	05-15-1990	Massonneau et al.	
		US-5,380,866	01-10-1995	Barnett et al.	
		US-4,021,442	05-03-1997	Frank et al.	
		US-			
		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		Suwinski et al.; "NITROIMIDAZOLES. PART V. CHLORONITROIMIDAZOLES FROM DINITROIMIDAZOLES. A REINVESTIGATION"; Polish Journal of Chemistry, (Formerly Roczniki Chemii), Vol. 56, pages 1261-1272, (1982)	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.